

**\*\* E-filed October 25, 2010 \*\***

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

**HILDA L. SOLIS**,  
Secretary of Labor,  
United States Department of Labor,  
  
Plaintiff,

v.

**CUONG VIET DO**, an individual, **THE  
MILI GROUP, INC.** A California corpora-  
tion, and **THE MILI GROUP  
RETIREMENT PLAN**, an employee benefit  
plan.

Defendants.

) Case No. C10-03823 HRL

) **STIPULATION RE**  
) **CONTINUANCE OF THE INITIAL**  
) **CASE MANAGEMENT**  
) **CONFERENCE**

1 PLAINTIFF HILDA L. SOLIS, Secretary of Labor, United States Department of  
2 Labor (the "Secretary"), and Defendants Cuong Viet Do, The Mili Group, Inc. and the  
3 Mili Group Retirement Plan (collectively "Defendants") stipulate as follows:

4 1. WHEREAS, On August 26, 2010 the Secretary filed a Complaint (Doc. 1) in  
5 the above entitled case against Cuong Viet Do, The Mili Group, Inc. and the Mili Group  
6 Retirement Plan.

7 2. WHEREAS, On September 8, 2010 the Secretary mailed a waiver of service  
8 of process request form to the Defendants.

9 3. WHEREAS, On September 12, 2010 Defendants signed the waiver of ser-  
10 vice of process.

11 4. WHEREAS, On September 27, 2010 Plaintiff e-filed the waivers with the  
12 Court (Docs. 3, 4, and 5).

13 5. WHEREAS, The due date for the Defendants answer is November 8, 2010.

14 6. WHEREAS, The Court has set the Initial Case Management Conference for  
15 November 9, 2010 at 1:30 pm. which establishes certain deadlines including ADR selec-  
16 tion, meet and confer requirements related to the parties' initial disclosures and early set-  
17 tlement.

18 7. WHEREAS, While the parties have already held early settlement discus-  
19 sions they are not able to fully comply with the other deadlines prior to the Defendants  
20 retaining counsel, making an appearance and filing an Answer.

21 THEREFORE, The parties stipulate that the Initial Case Management Conference  
22 be continued to December 7, 14, or any Tuesday in January 2011.

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2 Dated: October 19, 2010

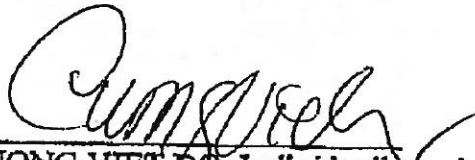
M. PATRICIA SMITH,  
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3  
4 LAWRENCE BREWSTER,  
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6 DANIELLE L. JABERG,  
7 Counsel for ERISA

8   
9 BORIS ORLOV, Attorney  
10 Attorneys for the Plaintiff

11  
12 Dated: October <sup>th</sup> 19, 2010

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15 CUONG VIET DO, Individually and  
16 as President of The Mili Group Inc, and  
17 as Trustee of The Mili Group Retirement  
18 Plan, Defendants  
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14 **HILDA L. SOLIS**,  
15 Secretary of Labor,  
16 United States Department of Labor,  
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18 v.

19 **CUONG VIET DO**, an individual, **THE**  
20 **MILI GROUP, INC.** A California corpora-  
tion, and **THE MILI GROUP**  
21 **RETIREMENT PLAN**, an employee benefit  
plan.

22 Defendants.  
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) Case No. C10-03823 HRL

) ~~PROPOSED~~ ORDER  
AS AMENDED BY THE COURT

1 The parties have stipulated to continue the Initial Case Management Conference  
2 from November 9, 2010.

3 GOOD CAUSE APPEARING, the Stipulation of the parties for an Order continu-  
4 ing the Initial Case Management Conference is hereby GRANTED.

5 All ADR and Rule 26 deadlines are continued accordingly.

6 IT IS FURTHER ORDERED that Initial Case Management Conference is now  
7 scheduled for January 11, 2011 at 1:30 pm in Courtroom 2, 5<sup>th</sup> Floor, San Jose.

8 IT IS SO ORDERED.

9 Dated: October 25, 2010

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11 \_\_\_\_\_  
12 United States Magistrate Judge